



Policy: 1001  
Procedure: 1001.03

Effective: 08/29/06  
Replaces: 1003 and  
1003.01  
Dated: 01/20/05

Chapter: Structure and Authority  
Rule: Personnel Rules – Delegated  
Authority

### Purpose:

The Arizona Department of Juvenile Corrections (ADJC) Director is authorized to administer the implementation of specific personnel actions pertaining to covered and uncovered positions and employees as delegated by the Arizona Department of Administration (ADOA) Director and/or the Personnel Rules. This procedure identifies the Personnel Rules to be administered by the ADJC Director and prescribes when and to whom such authority is delegated. The ADJC Director reserves the right to change, revise, or waive any policy or procedure, in accordance with the Department Policy-1002 Powers and Duties of the Director.

### Rules:

1. **Delegation of Authority**-(General Provisions R2-5-102.A.1. thru A.3.): The ADOA Director and/or the Personnel Rules has delegated to the ADJC Director the authority and responsibility to implement specific personnel actions through internal ADJC operating policies and procedures.
2. **Availability of Funds**-(General Provisions R2-5-102.B.): The granting of any compensation in the personnel rules is contingent upon the availability of funds, as determined by the Directors of ADJC and ADOA.
  - a. Authority Delegated to: The **ADJC DIRECTOR OR DESIGNEE** for covered positions 23 and above and for all uncovered positions and the **DEPUTY DIRECTOR, ASSISTANT DIRECTOR, OR DESIGNEE** for covered positions 22 and below shall ensure the availability of funds through the Budget Administrator or designee. ***Refer to Position Control File/Matrix-Procedure 2601.01; Panel/Oral Board Interviews-Procedure 2009.01; Special Entrance/Promotional Rate-Procedure 2006.01; and Human Resource Office-Policy 2001;***
  - b. Personnel actions requiring funding approval:
    - i. Request for Personnel Services SF-303;
    - ii. Classification Action Request Form-SF-302;
    - iii. Status/Salary Change Form-SF-301.
3. **Filling Positions Non-Competitively**-(Identification and Selection of Candidates R2-5-205.C.1.): The **ADJC DIRECTOR** may non-competitively select any qualified reemployment, re-promotion, reinstatement, voluntary decrease, or transfer candidate to fill a position. This action pertains to covered employees.
  - a. Authority Delegated to: The **HIRING AUTHORITY** through their chain of command, as provided in the ADJC Supervisor's Guidebook:
    - i. The **HIRING AUTHORITY** shall coordinate and process a non-competitive selection through the ADJC Human Resources Administrator or designee, prior to the effective date of action. ***Refer to Human Resource Office-Policy 2001.***
4. **Filling Positions Competitively**-(Identification and Selection of Candidates R2-5-205.C.2.): The **ADJC DIRECTOR** shall interview a minimum of three candidates, if a selection is not made of a reemployment, re-promotion, reinstatement, voluntary decrease, or transfer candidate. This action pertains to covered employees.
  - a. Authority Delegated to: The **HIRING AUTHORITY** through their chain of command, as provided in the ADJC Supervisor's Guidebook:

- i. The **HIRING AUTHORITY** filling a position through a competitive selection shall coordinate and process the action through the ADJC Human Resources Administrator or designee, prior to the effective date of action. ***Refer to Intra-Agency Lateral Transfer Requests-Procedure 2017.01; Panel/Oral Board Interviews-Procedure 2009.01; and Human Resource Office-Policy 2001.***
5. **Background Investigations and Clearance**-(Identification and Selection of Candidates R2-5-205.C.3.): The **ADJC DIRECTOR** shall establish procedures to check references or investigate a candidate's background, education, or work history as appropriate for the position. This action pertains to covered and uncovered employees.
  - a. Authority Delegated to: The **BACKGROUND INVESTIGATOR** as provided in the ADJC Supervisor's Guidebook. ***Refer to Internal Investigations Policy 1160; Panel/Oral Board Interviews-Procedure 2009.01; and Background Investigations-Procedure 1160.03.***
6. **Clerical Pool Appointments**-(Appointment R2-5-206 B.6.b.): The **ADJC DIRECTOR** may request and appoint a clerical pool for up to six months. This action pertains to covered employees.
  - a. Authority Delegated to: The **HIRING AUTHORITY** through their chain of command, as provided in the ADJC Supervisor's Guidebook:
    - i. The **HIRING AUTHORITY** shall coordinate and process Clerical Pool appointments through the ADJC Human Resources Administrator or designee, prior to the effective date of action. ***Refer to Human Resource Office-Policy 2001.***
7. **Clerical Pool Extensions**-(Appointment R2-5-206 B.6.b.): The **ADJC DIRECTOR** may request an extension of Clerical Pool assignments for not more than three months. This action pertains to covered employees.
  - a. Authority Delegated to: The **HIRING AUTHORITY** through their chain of command, as provided in the ADJC Supervisor's Guidebook:
    - i. The **HIRING AUTHORITY** shall coordinate and obtain approval for extension requests of Clerical Pool assignments through the ADJC Human Resources Administrator or designee, 10 workdays prior to the start of the three month extension period. ***Refer to Human Resource Office-Policy 2001.***
8. **Administrative Intra/Interagency Transfers**-(Changes in Assignment R2-5-208.B.1.a. and R2-5-701.C.): The **ADJC DIRECTOR** may administratively transfer a covered employee to a position in the same pay grade and position status. The **TRANSFERRED EMPLOYEE** must possess the knowledge, skills and abilities for the class to which s/he is transferred. This action pertains to covered employees.
  - a. Authority Delegated to:
    - i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall review and approve an Administrative Intra/Interagency Transfer request;
    - ii. The **HIRING AUTHORITY** shall coordinate and process all Intra/Interagency transfers through the ADJC Human Resources Administrator or designee, 10 workdays prior to the effective date of action. ***Refer to Intra-Agency Lateral Transfer Requests-Procedure 2017.01; and Human Resource Office-Policy 2001.***
9. **Employee Initiated Intra/Interagency Transfers**-(Changes in Assignment R2-5-208.B.1.b.): The **ADJC DIRECTOR**, upon the request of a covered employee, may transfer the employee to a position in the same pay grade and position status. The **TRANSFERRED EMPLOYEE** must possess the knowledge, skills and abilities for the class to which transferred. This action pertains to covered employees.
  - a. Authority Delegated to:
    - i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall review and support an Administrative Intra/Interagency Transfer request;

- ii. The **HIRING AUTHORITY** shall coordinate and process Intra/Interagency transfers through the ADJC Human Resources Administrator or designee, 10 workdays prior to the effective date of action. ***Refer to Intra-Agency Lateral Transfer Requests-Procedure 2017.01; and Lateral Transfer-Policy 2017.***
10. **Non-Competitive Special Detail Assignments**-(Changes in Assignment R2-5-208.C.1.a.): The **ADJC DIRECTOR** may assign a permanent status employee to a non-competitive special detail assignment, not to exceed 6 months into a covered position in the same or another class within the agency. This action pertains to covered employees.
- a. Authority Delegated to:
    - i. The **SUPERINTENDENT OR DESIGNEE** through their chain of command shall review and support an initial Non-Competitive Special Detail request;
    - ii. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall review and approve this action;
    - iii. The **HIRING AUTHORITY** shall coordinate and process Non-Competitive Special Detail Assignments through the ADJC Human Resources Administrator or designee. ***Refer to Human Resource Office-Policy 2001.***
11. **Relocation**-(Changes in Assignment R2-5-208.F.): The **ADJC DIRECTOR** may reimburse reasonable relocation expenses to a current employee for a management-initiated geographical transfer of more than 50 miles from the employee's current work site.
- a. Authority Delegated to:
    - i. The **EMPLOYEE'S SUPERVISOR** through their chain of command shall provide supporting documentation for a Relocation request;
    - ii. The **ASSISTANT DIRECTOR OF SUPPORT SERVICES OR DESIGNEE** shall ensure the availability of funds;
    - iii. The **ADJC DIRECTOR OR DESIGNEE** shall review and approve this action.
12. **Credit for Prior Service**-(Probation R2-5-213.B). The **ADJC DIRECTOR** may credit up to 6 months of state service that was completed in the same class immediately before a probationary appointment if that service was achieved under the same program of orientation, training, and evaluation currently applied to other probationary employees in the same class. This action pertains to covered employees.
- a. Authority Delegated to:
    - i. The **EMPLOYEE'S SUPERVISOR** through their chain of command may request that up to 6 months of state service work experience prior to an employee's probationary appointment within the same class, be applied towards completion of the probationary period;
    - ii. The **EMPLOYEE'S SUPERVISOR** shall coordinate and process Credit for Prior Service requests through the ADJC Human Resources Administrator or designee, 10 workdays prior to the effective date of action. ***Refer to Human Resource Office-Policy 2001.***
13. **Extensions of Original Probation** - (Probation R2-5-213.C.2.a.): The **ADJC DIRECTOR** may extend an employee's original probation up to 6 months for employment-related reasons. This action pertains to covered employees.
- a. Authority Delegated to:
    - i. The **EMPLOYEE'S SUPERVISOR** through their chain of command shall prepare a performance evaluation and justification requesting the extension of an employee's probationary period, in accordance with the ADJC Performance Appraisal for State Employees (PASE) Manual;
    - ii. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall review and approve this action;
    - iii. The **EMPLOYEE'S SUPERVISOR** shall coordinate and process the performance evaluation and extension justification through the ADJC Employee Relations Specialist,

10 workdays prior to the effective date of action. *Refer to Extension of Probation-Procedure 2003.07.*

14. **Completion of Original Probation** - (Probation R2-213.C.3.a.): The **ADJC DIRECTOR** shall ensure that supervisors complete performance evaluations on all probationary employees prior to the expiration of an employee's probationary period. If the ADJC Director takes no action to extend the probationary period or to terminate the employee, the **ADJC DIRECTOR** shall grant permanent status to the employee upon completion of the probationary period. This action pertains to covered employees.
  - a. Authority Delegated to:
    - i. The **EMPLOYEE'S SUPERVISOR** through their chain of command shall prepare a performance evaluation of an employee's probationary period, in accordance with the ADJC Performance Appraisal for State Employees (PASE) Manual and in consultation with the ADJC Human Resources Administrator or designee;
    - ii. The, **DEPUTY DIRECTOR, ASSISTANT DIRECTOR, OR DESIGNEE** shall review and approve this action;
    - iii. The **EMPLOYEE'S SUPERVISOR** shall coordinate and process all performance evaluations through to the ADJC Employee Relations Specialist, 10 workdays prior to the effective date of action.
15. **Dismissal while on Original Probation**-(Probation R2-5-213.C.3.b. and R2-5-503. B.3.): If the ADJC Director determines at any time during an original probationary period that the services of the probationary employee are no longer required in that position for any reason or for no reason. This action pertains to covered employees.
  - a. The **ADJC DIRECTOR** may:
    - i. Offer the employee another position for which the employee possesses the criteria in R2-5-201(A); or
    - ii. Dismiss the employee without a stated reason and without the right of appeal.
  - b. Authority Delegated to:
    - i. The **EMPLOYEE'S SUPERVISOR** through their chain of command shall prepare a Completed Staff Work Form detailing performance and/or behavioral issues that have been addressed in consultation with the ADJC Human Resources Administrator or designee;
    - ii. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall review and support this action;
    - iii. The **ADJC DIRECTOR OR DESIGNEE** shall review and approve dismissal actions;
    - iv. The **EMPLOYEE'S SUPERVISOR** shall coordinate and process the Completed Staff Work Form and any other related performance evaluation documents through the ADJC Employee Relations Specialist, 10 workdays prior to the effective date of action. *Refer to Resignation and Dismissals-Policy 2008.*
16. **Extension of Promotional Probation**-(Probation R2-5-213. D.1.): A **PERMANENT-STATUS EMPLOYEE WHO IS PROMOTED** shall serve a promotional probationary period of six months. The **ADJC DIRECTOR** may extend the probation up to a total of one year for employment-related reasons. This action pertains to covered employees.
  - a. Authority Delegated to:
    - i. The **EMPLOYEE'S SUPERVISOR** shall prepare performance evaluations justifying the extension of an employee's probationary period and in consultation with the ADJC Human Resources Administrator or designee;
    - ii. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE**, shall review and approve this action;
    - iii. The **EMPLOYEE'S SUPERVISOR** shall coordinate and process the promotional probation extension performance evaluation and extension justification through the ADJC Employee Relations Specialist, 10 workdays prior to the effective date of action.

***Refer to Extension of Probation-Procedure 2003.07; and the ADJC Performance Appraisal for State Employees (PASE) Manual.***

17. **Reversion from Promotional Probation-**(Probation R2-5-213.D.3-D.5.): The **ADJC DIRECTOR** may revert an employee who fails to successfully complete a promotional probation to a position at ADJC in the class in which permanent status was held immediately prior to the promotion or offer the employee a similar position in another class at the same grade as the class that the employee holds permanent status if the employee possesses the knowledge, skills, and abilities of that position. Neither of these actions shall preclude the imposition of disciplinary action, if applicable. The **EMPLOYEE** shall not have the right to appeal. This action pertains to covered employees.
- a. Authority Delegated to:
- i. The **EMPLOYEE'S SUPERVISOR** through their chain of command shall prepare performance evaluations justifying the reversion of probationary employees, in accordance with the ADJC Performance Appraisal for State Employees (PASE) Manual and in consultation with the ADJC Human Resources Administrator or designee;
  - ii. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall review and approve this action;
  - iii. The **EMPLOYEE'S SUPERVISOR** shall coordinate and process performance evaluations through the ADJC Employee Relations Specialist, 30 days prior to the effective date of action in order to coordinate the reversion and to ensure that a suitable vacancy exists. **Exceptions** to the 30 day requirement will be considered on a case-by-case basis. ***Refer to Human Resource Office-Policy 2001.***
18. **Reinstatement/Reemployment Probationary Period-**(Probation R2-5-213.E.1.and E.2.): The **ADJC DIRECTOR** may require a former employee who is reinstated or reemployed to complete an original probation. If a former employee is reinstated or reemployed into a class other than the class the employee previously held, the employee shall complete an original probation. This action pertains to covered employees.
- a. Authority Delegated to: The **ADJC DIRECTOR OR DESIGNEE** shall ensure that a reinstated and/or reemployed employee completes an original probationary period. ***Refer to ADJC Supervisor's Guidebook.***
19. **Basic Hiring Rate-**(Salary Administration R2-5-303.H.) A new employee shall be paid a salary up to the mid-point of the pay grade as established for the class to which the employee is appointed. This action pertains to covered employees.
- a. Authority Delegated to:
- i. The **HIRING AUTHORITY** through their chain of command shall provide supporting documentation for a basic hiring rate request;
  - ii. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall ensure the availability of funds through the Budget Manager or designee;
  - iii. The **HIRING AUTHORITY** shall coordinate and have Requests for Status/Salary Change Form (SF-301) approved through the ADJC Human Resources Administrator or designee, 10 workdays prior to the effective date of hire. ***Refer to Special Entrance/Promotional Rate-Procedure 2006.01; and ADJC Supervisor's Guidebook.***
20. **Basic Hiring Rate/Above Mid-Point** (Salary Administration R2-5-303.H.) The **ADJC DIRECTOR** may request that a qualified applicant be at a higher salary than the midpoint based on factors such as the applicant's education, experience, knowledge, skills, or abilities, the availability of qualified applicants, the applicant's earning history, or the geographical location of the position. This action pertains to covered employees.
- a. Authority Delegated to:
- i. The **ASSISTANT DIRECTOR OF SUPPORT SERVICES OR DESIGNEE** shall ensure the availability of funds;

- ii. The **HIRING AUTHORITY** shall coordinate and have Requests for Status/Salary Change Form (SF-301) approved through the ADJC Human Resources Administrator or designee, 10 workdays prior to the effective date of hire. ***Refer to Special Entrance/Promotional Rate-Procedure 2006.01; and ADJC Supervisor's Guidebook.***

21. **Promotion Salary Increase**-(Salary Administration R2-5-303.J.2.) This action pertains to covered employees.

- a. The **ADJC DIRECTOR** may authorize a salary increase for a qualified employee by more than 7% based on factors such as:
  - i. The unusual and outstanding character of the employee's education, experience, knowledge, skills, or abilities;
  - ii. The availability of qualified applicants;
  - iii. The applicant's earning history; or
  - iv. The geographical location of the position.
- b. Authority Delegated to:
  - i. The **ASSISTANT DIRECTOR OF SUPPORT SERVICES OR DESIGNEE** shall ensure the availability of funds;
  - ii. The **HIRING AUTHORITY** shall coordinate and process Requests for Status/Salary Change Form (SF-301) through the ADJC Human Resources Administrator or designee, 10 workdays prior to the effective date of promotion. ***Refer to Special Entrance/Promotional Rate-Procedure 2006.01 and ADJC Supervisor's Guidebook.***

22. **Approval of Overtime Work**-(Overtime Pay and Compensatory Leave R2-5-305.A.): The **ADJC DIRECTOR** may approve all work in excess of 40 hours per week or in excess of an established work for a covered and/or a non-exempt uncovered employee. This action pertains to covered and non-exempt uncovered employees.

- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command shall ensure the availability of funds through the Budget Manager. ***Refer to FLSA Exempt and Non-Exempt Compensation-Procedure 2001.01.***

23. **Approval of Overtime Work-Call Back** (Overtime Pay and Compensatory Leave R2-5-305.A.): The **ADJC DIRECTOR** may approve the time a covered and/or a non-exempt uncovered employee is called into work before or after his/her standard workday (not a continuation of the shift) or during a regular day off and the employee is not already at the work site. This action pertains to covered and non-exempt uncovered employees.

- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command shall ensure the availability of funds through the Budget Manager. ***Refer to FLSA Exempt and Non-Exempt Compensation-Procedure 2001.01.***

24. **Payment**-(Overtime Pay and Compensatory Leave R2-5-305.G.1.): The **ADJC DIRECTOR** may pay a covered and/or a non-exempt uncovered employee at any time for all or any portion of the employee's accrued compensatory leave balance at the employee's current base salary, subject to funding availability.

- a. Authority Delegated to:
  - i. The **EMPLOYEE'S SUPERVISOR** through their chain of command shall ensure the availability of funds through the Budget Manager or designee;
  - ii. The **ADJC DIRECTOR OR DESIGNEE** shall review and approve this action. ***Refer to FLSA Exempt and Non-Exempt Compensation-Procedure 2001.01.***

25. **Inter-Agency Transfer** (Overtime Pay and Compensatory Leave R2-5-305.H.): The **ADJC DIRECTOR** may pay a covered and/or a non-exempt uncovered employee who transfers to another state service agency for all accumulated compensatory leave at the time of the transfer. An agency may transfer part or all of the compensatory leave accumulated by a covered and/or a

non-exempt uncovered employee who transfers to another agency with the gaining agency's concurrence. If the gaining agency does not concur, the losing agency shall pay all of the accumulated compensatory leave that the gaining agency will not accept.

a. Authority Delegated to:

- i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall ensure the availability of funds through the Budget Manager or designee;
- ii. The **ADJC DIRECTOR OR DESIGNEE** shall review and approve this action. *Refer to FLSA Exempt and Non-Exempt Compensation-Procedure 2001.01.*

26. **Standby Duty Pay** (R2-5-306.B.): The **ADJC DIRECTOR** may place a covered and/or a non-exempt uncovered employee on standby duty when established criteria are met and s/he considers such action to be in the best interests of State Service.

a. Authority Delegated to:

- i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR, OR DESIGNEE** shall ensure the availability of funds through the Budget Manager or designee;
- ii. The **ADJC DIRECTOR OR DESIGNEE** shall review and approve this action. *Refer to FLSA Exempt and Non-Exempt Compensation-Procedure 2001.01.*

27. **Holiday Compensation**-(Holidays R2-5-402.E.1.): The **ADJC DIRECTOR** may compensate a covered and/or a non-exempt uncovered employee who is required to work on an official state holiday: one hour of additional pay at the current salary rate; one hour of annual leave; or one hour of time off with pay on an alternative workday.

a. Authority Delegated to:

- i. The **EMPLOYEE'S SUPERVISOR** through their chain of command shall ensure the availability of funds through the Budget Manager or designee;
- ii. The **ADJC DIRECTOR OR DESIGNEE** shall review and approve this action. *Refer to FLSA Exempt and Non-Exempt Compensation-Procedure 2001.01.*

28. **Accumulation**-(Annual Leave R2-5-403.D.1.): **COVERED EMPLOYEES** shall forfeit annual leave accumulated in excess of 240 as of the last day of the last pay period of any calendar year, unless the ADOA Director authorizes an exception in an individual case. **EXEMPT AND/OR NON-EXEMPT UNCOVERED EMPLOYEES** shall forfeit annual leave accumulated in excess of 320 hours as of the last day of the last pay period of any calendar year, unless the ADOA Director authorizes an exception in an individual case.

a. Authority Delegated to:

- i. The **ASSISTANT DIRECTOR OF SUPPORT SERVICES OR DESIGNEE** shall present a detailed plan containing a schedule on how a covered and/or a non-exempt/exempt uncovered employee will use the excess hours during the following calendar year and the availability of funds;
- ii. The **ADJC DIRECTOR OR DESIGNEE** shall seek approval from the ADOA Director before implementing any excess hour's carryover plan(s) and certify the availability of funds;
- iii. The approval process is subject to change as mandated by the ADOA Director. *Refer to FLSA Exempt and Non-Exempt Compensation-Procedure 2001.01; Annual Leave-Policy 2019; and Employee Benefits-Policy 2004.*

29. **Usage**-(Annual Leave R2-5-403.F.): **AN EMPLOYEE** may take annual leave at any time approved by the ADJC Director. This action pertains to covered and non-exempt uncovered employees.

- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook. *Refer to FLSA Exempt and Non-Exempt Compensation-Procedure 2001.01; Annual Leave-Policy 2019; Employee Benefits-Policy 2004; and Employee Conduct-Procedure 2003.04.*

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30. **Approval**-(Sick Leave R2-5-404.D.1.): Sick leave may be taken when approved by the ADJC Director. This action pertains to all employees.
- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook. ***Refer to Employee Sick Leave-Policy 2020, and Employee Conduct-Procedure 2003.04.***
31. **Evidence**-(Sick Leave R2-5-404.D.2.): The **ADJC DIRECTOR** may require submission of evidence substantiating the need for sick leave. If the ADJC Director determines the evidence is inadequate, the absence shall be charged to another category of leave or considered absence without leave. This action pertains all employees
- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook:
- i. The **EMPLOYEE'S SUPERVISOR** shall coordinate this action in consultation with the ADJC Human Resources Administrator or designee. ***Refer to Employee Sick Leave-Policy 2020.***
32. **Examination**-(Sick Leave R2-5-404.D.3.): The **ADJC DIRECTOR** may require an employee to be examined by a designated licensed health care practitioner. This action pertains to all employees.
- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook:
- i. The **EMPLOYEE'S SUPERVISOR** shall coordinate this action in consultation with the ADJC Human Resources Administrator or designee. ***Refer to Employee Sick Leave-Policy 2020.***
33. **Use of leave**-(Industrial Leave R2-5-405.A.1.): The **ADJC DIRECTOR** shall place an employee who sustains a job-related disability that is compensable under the Workers' Compensation Law on sick leave. This action pertains to all employees.
- a. Authority Delegated to: The **SUPERINTENDENT OR DESIGNEE** through their chain of command and in consultation with the ADJC Human Resources Administrator or designee, and the ADJC EEO/ADA Specialist. ***Refer to Employee Benefits-Policy 2004, Reporting Industrial Injury/Illness-Policy 2051; Family and Medical Leave-Procedure 2020; Return to Work-Policy 2050; and Employee Conduct-Procedure 2003.04.***
34. **Use of Leave**-(Industrial Leave R2-5-405.A.2. and A.3.): The **ADJC DIRECTOR** shall place an employee on leave without pay, if an employee exhausts all sick leave and does not request annual or compensatory leave, or has exhausted annual or compensatory leave. If on Workers' Compensation leave and if the employee qualifies, the employee shall be placed on FMLA concurrently. This action pertains to all employees.
- a. Authority Delegated to: The **SUPERINTENDENT OR DESIGNEE** through their chain of command and in consultation with the ADJC Human Resources Administrator or designee, and the ADJC EEO/ADA Specialist. ***Refer to Employee Benefits-Policy 2004; Reporting Industrial Injury/Illness-Policy 2051; Family and Medical Leave-Procedure 2020; and Return to Work-Policy 2050.***
35. **Light Duty**-(Industrial Leave R2-5-405.C.): In the event of a disability that would impair work performance, the **ADJC DIRECTOR** shall make every effort to place the employee in a suitable position. This action pertains to all employees.
- a. Authority Delegated to:
- i. The **SUPERINTENDENT OR DESIGNEE** through their chain of command and in consultation with the ADJC Human Resources Administrator or designee shall coordinate and process Light duty assignments through the ADJC EEO/ADA Specialist, 15 workdays prior to the effective date of action;
- (1) The qualification of an ADA recognized permanent disability requires a complete medical assessment to determine if an employee can continue to perform their



essential job functions in consultation with the ADJC Human Resources Administrator or designee, and ADJC EEO/ADA Specialist. ***Refer to Employee Benefits-Policy 2004, Reporting Industrial Injury/Illness-Policy 2051, Family and Medical Leave-Procedure 2020, and Return to Work-Policy 2050.***

36. **Educational Leave Request**-(R2-5-408.A.): An **EMPLOYEE** may be absent with pay to participate in a formal educational or training course of study at a college, university, or technical school with the approval of the ADJC Director and the ADOA Director, based on the determination that the leave is in the best interest of State Service. This action pertains to all employees.

a. Authority Delegated to:

- i. The **SUPERINTENDENT OR DESIGNEE** through their chain of command shall review and support an Educational Leave request;
- ii. The **ADJC DIRECTOR OR DESIGNEE** shall review and support this action;
- iii. The **SUPERINTENDENT OR DESIGNEE** shall coordinate and have Educational Leave requests approved through the ADJC Human Resources Administrator or designee. ***Refer to Human Resource Office-Policy 2001; and Employee Tuition Assistance-Procedure 1180.03.***

37. **Educational Leave Request Approval**-(R2-5-408.B.): The **ADJC DIRECTOR AND THE EMPLOYEE** shall sign a written agreement to accompany an approved educational leave application. This action pertains to all employees.

a. Authority Delegated to:

- i. The **SUPERINTENDENT OR DESIGNEE** through their chain of command shall review and support an Educational Leave Request;
- ii. The **ADJC DIRECTOR OR DESIGNEE** shall review and support this action;
- iii. The **SUPERINTENDENT OR DESIGNEE** shall coordinate and have Educational Leave requests approved through the ADJC Human Resources Administrator or designee. ***Refer to Human Resource Office-Policy 2001; and Employee Tuition Assistance-Procedure 1180.03.***

38. **State of Emergency**-(Administrative Leave with Pay R2-5-409): The **ADJC DIRECTOR** may authorize an employee to be absent with pay on administrative leave during a state of emergency declared by the Governor, or in other emergency situations such as extreme weather conditions, fire, flood, or malfunction of publicly-owned or controlled machinery or equipment. This action pertains to all employees.

a. Authority Delegated to:

- i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR, OR DESIGNEE** shall provide detailed information concerning the emergency situation to the ADJC Director;
- ii. The **ADJC DIRECTOR OR DESIGNEE** shall review and approve this action. ***Refer to ADJC Supervisor's Guidebook; and Safety and Emergency Procedures-Policy 4007.***

39. **Temporarily Relief of Duties**-(Administrative Leave with Pay R2-5-409): The **ADJC DIRECTOR** may grant administrative leave to relieve an employee of duties temporarily during the investigation of alleged wrongdoing by the employee. This action pertains to all employees.

a. Authority Delegated to:

- i. The **SUPERINTENDENT OR DESIGNEE** through their chain of command, if circumstances warrant, shall relieve an employee of their duties temporarily for the remainder of their regularly scheduled shift;
- ii. If the administrative leave is for more than one regularly scheduled shift, the **EMPLOYEE'S SUPERVISOR** through their chain of command shall gain approval from the Deputy Director, Assistant Director, or designee and in consultation with the ADJC Human Resources Administrator or designee;

- iii. The **ADJC DIRECTOR OR DESIGNEE** shall review and support the temporarily relief of duty. *Refer to Human Resource Office-Policy 2001.*
40. **Relief from Duty**-(Dismissal R2-5-803.D.): Nothing in this Rule shall preclude the **ADJC DIRECTOR** from immediately placing an employee on administrative leave pending implementation of dismissal procedures, but no pay shall be withheld for such period. This action pertains to all employees.
- a. Authority Delegated to:
    - i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR, OR DESIGNEE** shall review and support a request to relieve an employee from their duties pending dismissal and in consultation with the ADJC Human Resources Administrator or designee;
    - ii. The **ADJC DIRECTOR OR DESIGNEE** shall review and approve this action. *Refer to Human Resource Office-Policy 2001.*
41. **Bereavement Leave** (R2-5-410): An **EMPLOYEE** may be absent with pay for up to 24 regularly scheduled work hours due to the death or funeral of a family member. Refer to R2-5-410 for family member identification. The **ADJC DIRECTOR** may extend the bereavement leave for 16 work hours if the employee travels out-of-state for the funeral. The intent of this rule is to allow for an employee to utilize bereavement leave based on a regular state business day standard in accordance with R2-5-101.7. This action pertains to all employees.
- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR**, as provided in the ADJC Supervisor's Guidebook. *Refer to-Employee Benefits-Policy 2004.*
42. **Parental Leave** (R2-5-411): The **ADJC DIRECTOR** shall approve a request for parental leave in accordance with the conditions in the Personnel Rules. If leave under this Section qualifies for FMLA leave, an agency shall count it as FMLA leave. This action pertains to all employees.
- a. Authority Delegated to:
    - i. The **HIRING AUTHORITY** through their chain of command shall review and support a Parental Leave request;
    - ii. The **HIRING AUTHORITY** shall coordinate and have Parental Leave requests approved through the ADJC Human Resources Administrator or designee, 15 workdays prior to the effective date of action. *Refer to Family and Medical Leave-Procedure 2020.02; and Employee Sick Leave-Policy 2020.*
43. **Family Medical Leave Act-General**-(Leave for Serious Health Condition R2-5-412. A.) This action pertains to all employees. The **ADJC DIRECTOR** shall ensure compliance with the Family Medical Leave Act.
- a. If an employee's condition qualifies as a serious health condition under FMLA, the **EMPLOYEE** may take a maximum of 12 weeks of leave in the following order:
    - i. The **EMPLOYEE** shall use all accrued sick leave;
    - ii. The **EMPLOYEE** shall then use all accrued annual leave;
    - iii. If the employee exhausts all accrued sick and annual leave, the **AGENCY HEAD** shall grant medical leave without pay under R2-5-413; and
    - iv. The provisions of the FMLA, not the provisions of R2-5-413(B), shall govern return to work from leave without pay granted to complete an FMLA-qualified leave.
  - b. The intent of this rule is to denote management's right to place an employee on FMLA in accordance with FMLA Regulations.
  - c. Authority Delegated to:
    - i. The **HIRING AUTHORITY** through their chain of command shall review and support a Family Medical Leave request;
    - ii. The **HIRING AUTHORITY** shall coordinate and have Family Medical Leave requests approved through the ADJC Human Resources Administrator or designee, 15 workdays prior to the effective date of action. *Refer to Family and Medical Leave-Procedure 2020.02; and Employee Sick Leave-Policy 2020.*

44. **Medical Leave without Pay** (R2-5-413.A.1 thru 4.): The **ADJC DIRECTOR** shall approve requests for medical leave without pay for permanent status employees, and determine the status of an employee who returns to work from medical leave without pay in accordance with the Personnel Rules. This action pertains to all employees.
- a. Authority Delegated to:
- The **HIRING AUTHORITY** through their chain of command shall review and support a Medical Leave without Pay request;
  - The **HIRING AUTHORITY** shall coordinate and have Medical Leave without Pay requests approved through the ADJC Human Resources Administrator or designee, 15 workdays prior to the effective date of action. ***Refer to Family and Medical Leave-Procedure 2020.02; and Employee Sick Leave-Policy 2020.***
45. **Approval** (Leave without Pay R2-5-414.A). An **EMPLOYEE** shall submit, in advance, a written request for leave without pay approved by the ADJC Director in accordance with the Personnel Rules. This action pertains to all employees. The intent of this rule is to denote the employee's right to request leave without pay and to retain all unused of leave balances.
- a. Authority Delegated to: The **HIRING AUTHORITY** through their chain of command shall review and support a Leave without Pay request and in consultation with the ADJC Human Resources Administrator or designee. ***Refer to Human Resource Office-Policy 2001, and Employee sick Leave-Policy 2020.***
46. **Hours of Employment**-(Hours of Work R2-5-502.B.1-3): This action pertains to all employees.
- a. The **ADJC DIRECTOR:**
- Determines the hours of employment in the work week for each employee;
  - May provide for breaks during the work period consistent with carrying out the duties of the agency; and
  - May require an employee to work overtime.
- b. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook. ***Refer to Employee Conduct-Procedure 2003.04.***
47. **Flex Schedules**-(Hours of Work R2-5-502.C): If, at the ADJC Director's discretion, it is determined that ADJC existing services can be maintained by an employee working a 40-hour work week in four work days, the **ADJC DIRECTOR** may offer this option to the affected employee. This action pertains to all employees.
- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook. ***Refer to FLSA Exempt and Non-Exempt Compensation-Procedure 2001.01; and ADJC Telecommuting Guidelines-Policy-2025.***
48. **Attendance Standards**-(Hours of Work R2-5-502.D.1): The **ADJC DIRECTOR** may establish a standard of attendance. This action pertains to all employees.
- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook. ***Refer to FLSA Exempt and Non-Exempt Compensation-Procedure 2001.01; Employee Conduct-Procedure 2003.04; and ADJC Attendance/Tardiness-Procedure 2003.10.***
49. **Job Abandonment**-(Hours of Work R2-5-502.D.2): After an absence of three consecutive work days without approval, the **ADJC DIRECTOR** may dismiss the employee under R2-5-803 or may separate the employee without prejudice. The **ADJC DIRECTOR** shall provide written notice to the employee's last known address. This action pertains to all employees.
- a. Authority Delegated to:
- The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook;
  - The **SUPERINTENDENT OR ABOVE** shall review and support this action;

- iii. The **EMPLOYEE'S SUPERVISOR** shall coordinate and have job abandonment actions approved through the ADJC Human Resources Administrator or designee. *Refer to Human Resource Office-Policy 2001.*
50. **Performance Evaluation Frequency for Permanent Status Employees** - (Performance Appraisal System R2-5-503.B.1): The **ADJC DIRECTOR** shall ensure that supervisors evaluate permanent status employees at least annually. This action pertains to covered and designated uncovered positions.
- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook and ADJC Performance Appraisal for State Employees (PASE) Manual.
    - i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR, OR DESIGNEE** shall ensure that supervisors prepare performance evaluations. *Refer to Extension of Probation-Procedure 2003.07.*
51. **Performance Evaluation Frequency for Probationary Status Employees** - (Performance Appraisal System R2-5-503.B.2): The **ADJC DIRECTOR** shall ensure that prior to achieving permanent status, supervisors have evaluated a probationary status employee at least twice during the probationary period. This action pertains to covered and designated uncovered positions.
- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook and ADJC Performance Appraisal for State Employees (PASE) Manual.
    - i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR, OR DESIGNEE** shall ensure that supervisors prepare performance evaluations. *Refer to Extension of Probation-Procedure 2003.07; and Human Resource Office-Policy 2001.*
52. **Performance Expectations**-(Performance Appraisal System R2-5-503.D.1 thru 3.) - This action pertains to covered and designated uncovered positions.
- a. The **ADJC DIRECTOR** shall ensure that all performance appraisals are completed as follows:
    - a. An **EMPLOYEE** shall meet or exceed performance standards;
    - b. A **SUPERVISOR** shall comply with performance appraisal requirements; and
    - c. An **AGENCY HEAD** shall ensure that all performance appraisals are completed as required by this Section.
  - b. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook and ADJC Performance Appraisal for State Employees (PASE) Manual.
    - i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall ensure that supervisors prepare performance evaluations. *Refer to Extension of Probation-Procedure 2003.07; and Human Resource Office-Policy 2001.*
53. **Reprimands** (A.A.C. Personnel Administration Article 8-Disciplinary Actions) - **ADJC EMPLOYEES** shall comply with established standards of conduct as set forth in A.A.C. R2-5-501, A.R.S. 41-770 and Departmental policies/procedures to ensure the highest level of professionalism. An employee found to be in violation of the Standards of Conduct shall be subject to progressive discipline action(s). Dependent on the severity and frequency of an offense(s), a letter of reprimand may be used as the first step in the formal progressive disciplinary process, after an informal corrective verbal and/or written counseling action have failed to rectify an employee's misconduct or poor performance.
- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** shall prepare the letter of reprimand and coordinate the approval process through their chain of command, as provided in the ADJC Supervisor's Guidebook and ADJC Performance Appraisal for State Employees (PASE) Manual.
    - i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall review and approve the letter of reprimand, in consultation with the ADJC Human Resources

Administrator or designee. *Refer to ADJC Supervisor's Guidebook; Employee Conduct-Procedure 2003.04; Administrative Investigations-Procedure 1160.01 and Human Resource Office-Policy 2001.*

54. **Suspension** (R2-5-801.A and B): The **ADJC DIRECTOR** may suspend an employee without pay for cause. The employee shall be provided a written statement of the reasons for suspension and of any grievance or appeal rights. This action pertains to all employees.
- a. Authority Delegated to:
- The **ASSISTANT DIRECTOR OR DESIGNEE** for up to 40 hours in consultation with the ADJC Human Resources Administrator or designee;
  - The **DEPUTY DIRECTOR OR DESIGNEE** for more than 40 hours or for long term leave without pay and in consultation with the ADJC Human Resources Administrator or designee. *Refer to ADJC Supervisor's Guidebook; Employee Conduct-Procedure 2003.04; and Human Resource Office-Policy 2001.*
55. **Demotion** (R2-5-802.A and B): The ADJC Director may demote a permanent status employee for cause to any permanent position, provided the employee meets the minimum qualifications of the class. The employee shall be provided a written statement of the reasons for suspension and of any grievance or appeal rights. This action pertains to covered employees.
- a. Authority Delegated to: The **ADJC DIRECTOR OR DESIGNEE** in consultation with the ADJC Human Resources Administrator or designee.
- EMPLOYEE'S SUPERVISOR** shall coordinate and process demotions through the ADJC Employee Relations Specialist, 15 workdays prior to the effective date of action. *Refer to ADJC Supervisor's Guidebook; Employee Conduct-Procedure 2003.04; and Human Resource Office-Policy 2001.*
56. **Pre-Dismissal Notice of Charges-**(Dismissal R2-5-803.A): The **ADJC DIRECTOR** shall provide a permanent status employee with a written notice of the charges, which includes a summary of the charges and an opportunity for the employee to present a written response, prior to dismissal. The **EMPLOYEE** shall respond not later than three workdays after receiving notice of the charges, unless the **ADJC DIRECTOR** extends the time frame and approves it in writing. This action pertains to covered employees.
- a. Authority Delegated to: The **ADJC DIRECTOR, DEPUTY DIRECTOR OR DESIGNEE** in consultation with the ADJC Human Resources Administrator or designee.
- Before issuance, the ADJC Employee Relations Specialist shall review the approved disciplinary action 15 workdays prior to the effective date of the action. *Refer to ADJC Supervisor's Guidebook; Employee Conduct-Procedure 2003.04; and Human Resource Office-Policy 2001.*
57. **Dismissal Notification-**(Dismissal R2-5-803.B): The **ADJC DIRECTOR** may dismiss any employee with permanent status only for cause, but not before attempting to service the employee personally with a written notice of the specific reasons for dismissal by registered or certified mail, return receipt requested. This action pertains to covered employees.
- a. Authority Delegated to: The **ADJC DIRECTOR, DEPUTY DIRECTOR, OR DESIGNEE** in consultation with the ADJC Human Resources Administrator or designee.
- Before issuance, the ADJC Employee Relations Specialist shall review the approved disciplinary action, 15 workdays prior to the effective date of the action. *Refer to ADJC Supervisor's Guidebook; Employee Conduct-Procedure 2003.04; and Human Resource Office-Policy 2001.*
58. **Notice-**(Resignation R2-5-901.A): The **ADJC DIRECTOR** may recommend the ineligibility for rehire and/or reinstatement of an employee who did not submit a written resignation at least 10 working days prior to the effective date of the resignation. This action pertains to covered employees.
- a. Authority Delegated to:

- i. The **HIRING AUTHORITY** through their chain of command, may recommend ineligibility for rehire and/or reinstatement of an employee;
- ii. The **ADJC DIRECTOR, DEPUTY DIRECTOR OR DESIGNEE** shall review and support the hiring authority's recommendation;
- iii. The **ADJC HUMAN RESOURCE ADMINISTRATOR OR DESIGNEE** shall determine if an employee had good cause for not giving at least 10 working days prior to the effective date of the resignation. ***Refer to ADJC Supervisor's Guidebook; Resignation and Dismissals-Policy 2008; and Human Resource Office-Policy 2001.***

59. **Oral Resignation**-(Resignation R2-5-901.B): The **ADJC DIRECTOR** shall confirm the resignation in writing, if an employee resigns orally. This action pertains to covered employees.

- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook.
  - i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall review and support the supervisor's recommendation in consultation with the ADJC Human Resources Administrator or designee. ***Refer to Resignation and Dismissals-Policy 2008.***

60. **Refusal of Resignation**-(Resignation R2-5-901.C): The **ADJC DIRECTOR** may refuse to accept a resignation and may instead dismiss an employee pursuant to R2-5-803. This action pertains to covered employees.

- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook.
  - i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall review and support the supervisor's recommendation in consultation with the ADJC Human Resources Administrator or designee. ***Refer to Resignation and Dismissals-Policy 2008.***

61. **Withdrawal of Resignation**-(Resignation.R2-5-901.D): An **EMPLOYEE** may only withdraw a resignation in writing by personal delivery to the ADJC Director not later than the end of the next workday after the employee gave notice of resignation. If a withdrawal is not submitted by this time, the resignation shall be final unless both the **ADJC DIRECTOR AND THE EMPLOYEE** agree that the resignation may be withdrawn. This action pertains to covered employees.

- a. Authority Delegated to: The **EMPLOYEE'S SUPERVISOR** through their chain of command, as provided in the ADJC Supervisor's Guidebook.
  - i. The **DEPUTY DIRECTOR, ASSISTANT DIRECTOR OR DESIGNEE** shall review and support the supervisor's recommendation in consultation with the ADJC Human Resources Administrator or designee. ***Refer to Resignation and Dismissals-Policy 2008.***

Effective Date:	Approved by Process Owner:	Review Date:	Reviewed By:
09/01/2006	Michael D. Branham, Director		